

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

SIMPLEAIR, INC.	§	
	§	
PLAINTIFF,	§	
	§	
VS.	§	CIVIL ACTION NO. 2:09-CV-289-CE
	§	
AWS CONVERGENCE TECHNOLOGIES, INC., ET AL.	§	JURY TRIAL DEMANDED
	§	
DEFENDANTS.	§	

**DEFENDANTS' UNOPPOSED MOTION TO AMEND CERTAIN DEADLINES IN THE
COURT'S DOCKET CONTROL ORDER**

Defendants Disney Online, ESPN Enterprises, Inc., American Broadcasting Companies, Inc., Apple, Inc., Research In Motion Ltd., and Research In Motion Corporation (collectively "Defendants"), hereby move the Court to amend deadlines set forth in the Court's Docket Control Order [Dkt. 119].

Specifically, Defendants request that the Court extend the fact discovery deadline from the current deadline of September 7, 2011, up to and including September 9, 2011. Defendants explicitly reserve the right to further extend the fact discovery deadline.

The amendment is requested in good faith and will not result in undue delay or impact the Pretrial Conference or Jury Selection dates in this matter.

Plaintiff does not oppose Defendants' motion.

Wherefore, Defendants Disney Online, ESPN Enterprises, Inc., American Broadcasting Companies, Inc., Apple, Inc., Research In Motion Ltd., and Research In Motion Corporation,

respectfully pray that the Court extend the fact discovery deadline from the current deadline of September 7, 2011, up to and including September 9, 2011.

Dated: August 11, 2011

Respectfully submitted,

/s/Harry L. Gillam, Jr.

Harry L. Gillam, Jr.
Texas Bar No. 07921800
GILLAM & SMITH
303 S. Washington Avenue
Marshall, TX 75670
Telephone: 903.934.8450
Facsimile: 903.935.9257
gil@gillamsmithlaw.com
ATTORNEY TO BE NOTICED

William L. LaFuze
Texas Bar No. 11792500
VINSON & ELKINS L.L.P.
First City Tower
1001 Fannin Street, Suite 2500
Houston, TX 77002-6760
Telephone: 713.758.2595
Facsimile: 713.615.5317
wlaфуze@velaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

David T. Pritikin
State Bar No. 2256339
dpritikin@sidley.com
SIDLEY AUSTIN LLP
One South Dearborn
Chicago, Illinois 60603
Telephone: 312.853.7359
Facsimile: 312.853.7036
ATTORNEY TO BE NOTICED

Brian R. Nester
DC Bar No. 460225
bnester@sidley.com
SIDLEY AUSTIN LLP

1501 K Street, N.W.
Washington, D.C. 20005
Telephone: 202.736.8017
Facsimile: 202.736.8811
ATTORNEY TO BE NOTICED

Li Chen
Texas Bar No. 24001142
lchen@sidley.com
SIDLEY AUSTIN LLP
717 N. Harwood, Suite 3400
Dallas, Texas 75201
Telephone: 214.981.3300
Facsimile: 214.981.3400
ATTORNEY TO BE NOTICED

Joe W. Redden, Jr.
Texas Bar No. 16660600
jredden@brsfirm.com
Michael E. Richardson
Texas Bar No. 24002838
mrichardson@brsfirm.com
Timothy Cleveland
Texas Bar No. 24055318
tcleveland@brsfirm.com
Robert David "B.D." Daniel
Texas Bar No. 05362200
bddaniel@brsfirm.com
BECK REDDEN & SECREST LLP
One Houston Center
1221 McKinney Street, Suite 4500
Houston, TX 77010-2020
Telephone: 713.951.3700
Facsimile: 713.951.3720
ATTORNEYS TO BE NOTICED

**ATTORNEYS FOR RESEARCH IN
MOTION, LTD. AND RESEARCH IN
MOTION CORPORATION**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that, on this the 11th day of August, 2011, the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A).

/s/Harry L. Gillam, Jr.
Harry L. Gillam, Jr.

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for Defendants conferred with Plaintiff's counsel, Greg Dovel and Jeff Eichmann, on August 3-5, 2011, and Plaintiff does not oppose this motion.

/s/Harry L. Gillam, Jr.
Harry L. Gillam, Jr.